

### REMARKS

The following remarks are responsive to the Office Action, dated November 1, 2008. Currently, claims 1 and 3-29 are pending with Claims 1, 16, 27 and 28 being independent. No new matter is added.

#### 35 U.S.C. 103(a)

In the November 1, 2007 Office Action, the Examiner rejected claims 1 and 3-29 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,687,241 to Goss (hereinafter, "Goss") in view of U.S. Patent No. 5,526,417 to Dezonno (hereinafter, "Dezonno"). In the Office Action, the Examiner stated that Goss teaches all elements of the claims except that Goss fails to "specifically teach via a soft-key or graphical button of the GUI is configured to selectively initiate another message being sent from the CSRS to the calling party." (Office Action, page 3). The Examiner further stated that Dezonno teaching this limitation and that

"[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Dezonno into the teachings of Goss for the purposes of reducing the conversation handling time of the agent or operator so that the agent is available to take subsequent incoming calls which are waiting in queue for the agent service, which also reduces the holding time a customer waiting for an agent since the agent does not need to repeat farewell messages, as discussed by Dezonno (col. 7, line 37-46). This also maintains agent's professionalism and energetic voice throughout the day, especially towards the end of the day when agents are tired." (Office Action, page 3).

Applicants respectfully traverse this rejection.

Claim 1 recites, *inter alia*, an apparatus for caller information retrieval that includes a customer service response system (CSRS) capable of responding to an incoming telephone call from a calling party by playing a message to the calling party, and a graphical user interface (GUI) electrically coupled to the CSRS and configured to receive and display information from

the CSRS, wherein the information received from the CSRS originates from the calling party, and wherein via a soft-key or graphical button, the GUI is configured to selectively initiate another message being sent from the CSRS to the calling party. Independent claims 16, 17, and 29 recite similar features.

To establish such a *prima facie* case of obviousness, the prior art references must teach or suggest all the claim limitations. There must also be some objective suggestion or motivation to modify a reference or combine reference teachings, and a reasonable expectation of success with respect to making the modification or combination. Moreover, it is improper for the Examiner to modify a reference in such a way that would change the principle of operation of the prior art reference being modified. MPEP § 2143. For at least the reasons set forth below, Applicant respectfully submits that the Examiner has not established a *prima facie* case of obviousness of Claims 1 and 3-29.

As understood by Applicants, Goss relates to an enterprise contact server that enables customers to submit call-back request to agents located at any one of a plurality of call centers via the Internet or any other communications technology available. (Goss, Abstract). Goss enables routing of messages, calls, and data between call centers. (Goss, Col. 1, line 67 to Col. 2, line 2). Goss locates and reserves skilled agents in one of a plurality of remote centers before initiating a call transfer or conference. (Goss, Col. 2, line 2-5). Goss communicates with each call center contact server and tracks the states and availabilities of resources (e.g., agents) at each call center. (Goss, Col. 2, lines 33-36). Goss's call center includes various components responsible for answering and routing contact requests and inbound calls, which include an automatic call distributor ("ACD") providing a telephony switching means, a call center contact server supporting agents, agent workstations, agent telesets, computer/telephony interface, and a

LAN (e.g., Call Center A). (Goss, Col. 4, lines 20-46). Additionally, an Enterprise Voice Response Unit ("VRU") having an Interactive Voice Response ("IVR") system having a separate voice link is associated with Goss's call center system. (Goss, Col. 4, lines 47-51). If the customer calls in to the call center (rather than seeking a contact request via Internet), the VRU is able to collect information from the customer by way of interactive responses. (Goss, Col. 7, lines 22-31). In Goss, any calls over the PSTN system can be routed to any ACD at any call center. (Goss, Col. 4, lines 54-55). Thus, components other than the IVR system in Goss, answer inbound calls or request for contact, where Goss fails to disclose that such components play a message to the calling party, contrary to the recitation of claim 1. In the event that the customer is seeking a contact request via accessing a web page (as discussed in Goss with regard to FIGS. 3a-c), the customer may be asked to fill out certain information (Goss, FIGS. 3a-c, steps 210-212, Col. 7, line 51 to Col. 8, line 24) so that Goss can send a contact request to an agent with proper qualification skills. In this instance, no messages are played to the calling party, contrary to the suggestion of the Examiner (Office Action, page 3) and recitation of claim 1. In the event of an inbound call (Goss, FIGS. 4a-c), data access points ("DAP"), various other components of the Goss's system answer the call prior to forwarding it to the VRU that makes a determination to which agent the call should be forwarded. (Goss, Col. 10, lines 30-44). This is different than having a customer service response system capable of responding to an incoming telephone call from a calling party by playing a message to the calling party, as recited in claim 1.

Further, Goss's system uses dialed number, ANI, time of day, day of week, load balancing algorithms to forward calls to a specific VRU that collects information from the caller. (Goss, Col. 10, lines 34-39). Based on all that information, VRU sends a request to a router to select a particular qualified agent to handle the call. (Goss, Col. 10, line 44 to Col. 11, line 17).

Once, the agent is selected, the VRU forwards a call data that includes data for routing the call and data pertaining to the caller or service (e.g., bill payer ID, customer account data, caller-selected options). (Goss, Col. 11, lines 6-17). As such, this data is internally generated by either the VRU associated with Goss's system or other components of Goss's system, but does not originate from the calling party, contrary to the recitation of claim 1.

Additionally, Goss fails to provide a graphical user interface electrically coupled to the CSRS and configured to receive and display information from the CSRS, as recited in claim 1. Instead, Goss uses screen-pops to display information entered on the web by customers requesting call-backs (Goss, Col. 9, lines 1-13 and Col. 12, line 53 to Col. 13, line 7). In the inbound call aspect of Goss's system, Goss fails to disclose that a graphical user interface receives and displays information from the CSRS, which is contrary to the Examiner's assertion (Office Action, page 3) and recitation of claim 1. As such, Goss fails to disclose all elements of claim 1.

Dezonno does not cure the deficiencies of Goss. As understood by Applicants, Dezonno relates to an automatic call distributor ("ACD") with an automated **post-conversation** message system. (Dezonno, Abstract). (emphasis supplied). Dezonno includes **a central processing unit that is programmed to initiate** the playing of post-conversation voice messages in the voice of the agent handling the call in response to the agent terminating the call selectively actuating soft keys at the agent set. (Dezonno, Col. 8, lines 2-6). (emphasis supplied). This is different than present invention's GUI configured to selectively initiate another message being sent from the CSRS to the calling party, as recited in claim 1. In Dezonno, the central processing unit, rather than the GUI initiate the message to be sent to the calling party. Further, Dezonno is limited to the post-conversation messages only. As such, neither Goss, Dezonno, nor their combination disclose, teach, or suggest all elements of claim 1. Thus, Applicants respectfully request

allowance of claim 1.

*Improper to Combine*

As stated above, Goss relates to a system that handles requests for contact or inbound calls from customers to service agents. The purpose of Goss's system is to locate a qualified agent to handle customer's request for call back or inbound call. Goss does not seek to shorten call handling time and professionalism and/or alertness of its agents, as suggested by the Examiner. Instead, Goss uses available information to locate a skilled agent that can properly assist the customer. Further, Goss is concerned with pre-live contact or pre-conversation aspects of customer-call-center communications. (emphasis supplied). In contrast, Dezonno deals with post-conversation aspects of the customer-call-center communications. (emphasis supplied). Dezonno's purpose is to improve call handling time. Thus, Goss and Dezonno deal with two completely different stages of contact between customers and call centers (pre-conversation and post-conversation) and are directed to solve vastly different problems (find a qualified skilled agent and shorten call handling time). As such, there is no motivation or suggestion to combine Goss and Dezonno, contrary to the Examiner's suggestion. (Office Action, pages 3-4).

The improper combination of the Goss and Dezonno fails to realize the present invention. The alleged combination of the references discloses a call center having a VRU system that further includes an ACD system with a central processing unit that initiates a post-conversation messages being sent to customers. However, the combination of Goss and Dezonno fails to disclose, teach, or suggest, *inter alia*, a customer service response system (CSRS) capable of responding to an incoming telephone call from a calling party by playing a message to the calling party, and a graphical user interface (GUI) electrically coupled to the CSRS and configured to

receive and display information from the CSRS, wherein the information received from the CSRS originates from the calling party, and wherein via a soft-key or graphical button, the GUI is configured to selectively initiate another message being sent from the CSRS to the calling party, as recited in claim 1.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claim 1 under 35 U.S.C. § 103(a) for the above reasons.

Independent Claims 16, 27 and 28 are not rendered obvious by Goss alone or in combination with Dezonno for at least the reasons stated above with respect to claim 1. Thus, the rejections of claims 16, 27, and 28 are respectfully traversed. The Examiner is requested to reconsider and withdraw his rejections of claims 16, 27, and 28.

Claims 3-15, 17-26, and 29 are dependent on claims 1, 16, and 27, respectively. Thus, claims 3-15, 17-26, and 29 are not rendered obvious for at least the reasons stated above with respect to claim 1. Thus, the rejections of claims 3-15, 17-26, and 29 are respectfully traversed. The Examiner is requested to reconsider and withdraw his rejections of claims 3-15, 17-26, and 29.

**CONCLUSION**

The claims currently presented are proper and definite. Allowance is accordingly in order and respectfully requested. However, should the Examiner deem that further clarification of the record is in order, we invite a telephone call to the Applicant's undersigned attorney and agent to expedite further processing of the application to allowance.

Respectfully submitted,



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